

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

WILLIAM PAVLOFF,

Plaintiff,

v.

CV 07-0625 MCA/WPL

CHRISTINE J. SALAZAR-ARP,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS AND
RECOMMENDED DISPOSITION**


This matter is before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition (PFRD), filed April 15, 2008. (Doc. 20.) The parties were notified that objections were due within ten days of service of the PFRD and that if no objections were filed, no appellate review would be allowed. To this date, however, no objections have been filed.

IT IS THEREFORE ORDERED that:

1. Plaintiff's claims alleging a violation of the Fourteenth Amendment's Due Process Clause for his transfer between prison facilities are dismissed with prejudice;
2. Plaintiff's claim under the Sixth Amendment is dismissed with prejudice;
3. Defendant shall file a *Martinez* report, accompanied by a Motion for Summary Judgment, addressing the following claims raised in Plaintiff's Complaint:
 - a. Plaintiff's claim under the Interstate Agreement on Detainers Act;
 - b. Plaintiff's claims alleging that his loss of good-time credits and educational and employment opportunities as well as his placement in administrative segregation violated his rights under the Due Process Clause of the Fourteenth Amendment;

- c. Plaintiff's claim that Defendant deprived him of his right to access the courts;
 - d. Plaintiff's claim alleging retaliation; and
 - e. Plaintiff's claim alleging a violation of the Eighth Amendment.
4. For purposes of the *Martinez* report and Motion for Summary Judgment, the following schedule is hereby imposed:
- a. Defendant shall file the *Martinez* report and Motion for Summary Judgment by **June 9, 2008**;
 - b. Plaintiff's Response to the *Martinez* report and Motion for Summary Judgment is due by **June 30, 2008**; and
 - c. Defendant's Reply, if any, is due by **July 14, 2008**.

SO ORDERED this 23rd day of May, 2008.


M. CHRISTINA ARMIJO
UNITED STATES DISTRICT JUDGE